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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

JUN 13 2008

COMMISSIONERS

MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

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AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
MOUNT TIPTON WATER CO., INC. FOR AN
EMERGENCY RATE INCREASE.

DOCKET NO. W-02105A-08-0262

PROCEDURAL ORDER

BY THE COMMISSION:

On May 23, 2008, Mount Tipton Water Co., Inc. ("Mount Tipton") filed with the Arizona Corporation Commission ("Commission") an application requesting emergency rate relief to increase its cash flow so as to cover operation expenses and increase water availability to its customers. Mount Tipton specifically requested an emergency rate increase of \$10.00 per customer. Accordingly, a hearing must be scheduled in this matter.

IT IS THEREFORE ORDERED that a **hearing** to determine whether an emergency exists pursuant to Arizona Attorney General Opinion No. 71-17 and whether an emergency rate increase should be granted shall commence on **July 25, 2008, at 10:00 a.m.**, or as soon thereafter as is practicable, in Hearing Room #1 at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

IT IS FURTHER ORDERED that the **Staff Report** and/or any testimony and associated exhibits to be presented at hearing on behalf of Staff shall be reduced to writing and filed on or before **July 11, 2008**.

IT IS FURTHER ORDERED that **Mount Tipton shall file its Response** to the Staff Report or Staff testimony with the Commission's Docket Control by **July 18, 2008**. However, failure to file a written response will not preclude Mount Tipton from presenting its response verbally at the hearing.

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IT IS FURTHER ORDERED that Mount Tipton shall, on or before July 3, 2008, cause the following public notice to be (1) mailed to each of its customers, (2) posted in a conspicuous area at its office, and (3) posted in a conspicuous area at each of its standpipe locations.

**PUBLIC NOTICE OF THE HEARING ON MOUNT TIPTON WATER CO.,
INC.'S APPLICATION FOR AN EMERGENCY RATE INCREASE**
(Docket No. W-02105A-08-0262)

Mount Tipton Water Co., Inc. has requested that the Arizona Corporation Commission determine whether an emergency rate increase of \$10.00 per customer should be granted. The Commission will determine whether an emergency exists and may, based on the evidence presented at hearing, deny the request or approve an interim rate either higher or lower than that requested by Mount Tipton.

The Commission will hold a **public hearing** on this request beginning **July 25, 2008, at 10:00 a.m.**, in Hearing Room #1 at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona. Customers may attend the hearing and make public comments or file written comments with the Commission. Written comments may be submitted by e-mail or by mailing a letter referencing Docket No. W-02105A-08-0262 to:

Arizona Corporation Commission
Consumer Services Section
1200 West Washington St.
Phoenix, AZ 85007

For a form to use and instructions on how to e-mail comments to the Commission, go to http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000.

Interested parties may intervene by filing a written motion to intervene with the Commission no later than **July 18, 2008**. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf> or contact the Commission's Consumer Services Section at 1-800-222-7000. Failure to intervene will not preclude a customer from appearing at the hearing and making a statement on the customer's own behalf.

The application and all filings are available on the Commission's website (www.azcc.gov) using the e-Docket function.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Linda Hogan, at LHogan@azcc.gov, voice phone number (602) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

IT IS FURTHER ORDERED that Mount Tipton shall, **no later than July 14, 2008**, file with the Commission's Docket Control **certification that the public notice was mailed and posted in accordance with this Procedural Order.**

1 IT IS FURTHER ORDERED that **intervention** shall be in accordance with A.A.C. R14-3-
2 105, except that all motions to intervene must be filed on or before **July 18, 2008**.

3 IT IS FURTHER ORDERED that notice in accordance with this Procedural Order shall be
4 deemed complete upon mailing, notwithstanding the failure of an individual customer to read or
5 receive the notice.

6 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
7 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission
8 *pro hac vice*.

9 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113—Unauthorized
10 Communications) applies to this proceeding and shall remain in effect until the Commission's
11 Decision in this matter is final and non-appealable.

12 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
13 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

14 Dated this 13th day of June, 2008.

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17 
18 SARAH N. HARPRING
ADMINISTRATIVE LAW JUDGE

19 Copies of the foregoing mailed/delivered
20 this 13th day of June, 2008, to:

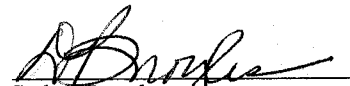
21 John Janik, President
22 MOUNT TIPTON WATER CO., INC.
P.O. Box 38
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ARIZONA REPORTING SERVICE, INC.
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23 Janice Alward, Chief Counsel
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28 By:


Debra Broyles
Secretary to Sarah N. Harpring